

27 AUG 1980

MEMORANDUM FOR: Office of General Counsel

STATINTL

ATTENTION :

FROM :

Deputy Director of Personnel Policy, Planning,
and Management

SUBJECT : Implementing Executive Order 12197

REFERENCE : Your memorandum to C/ROB/PPPM, same subject,
dated 29 July 1980

Bruce:

1. I must disagree with your suggestion that the word "final" be used in the proposed change

STATINTL

2. I believe our retirement regulation on this point should not significantly differ in language from Executive Order 12197 and Public Law 95-366 to which the E.O. conforms. I also note that the rules and regulations published in the attached Federal Register do not use the word "final."

3. Additionally, I would prefer that the last sentence you proposed as a change in our ground-rules memorandum be revised to delete any reference to Agency "policy." The last two sentences would then read as follows:

"It is recommended that the CIA Retirement and Disability System generally adopt the administrative procedures set forth in said Rules and Regulations for the purpose of implementing the apportionment provisions of Executive Order 12197. Additionally, the Office of General Counsel advises that the Agency may only apportion annuities pursuant to final court action in any divorce matter."

A revised memorandum is attached for OGC concurrence.

STATINTL

Attachment
As stated

26 AUG 1980

MEMORANDUM FOR: Director of Personnel Policy, Planning, and Management

VIA : Office of General Counsel

FROM :
Deputy Director of Personnel Policy, Planning, and
Management for Special Programs

SUBJECT : Executive Order 12197

1. This memorandum contains a recommendation for your approval in paragraph 3.

2. On 5 March 1980, Executive Order 12197 was approved by the President and contained therein a provision for the apportionment of a CIA Retirement and Disability System annuity to another person if and to the extent expressly provided for in the terms of any court decree of divorce, annulment, or legal separation, or the terms of any court order or court-approved property settlement agreement incident to any court decree of divorce, annulment or legal separation. Similar legislation under Public Law 95-366 affects the Civil Service Retirement System.

3. The Office of Personnel Management has promulgated the attached Rules and Regulations, published in the Federal Register Vol. 45, No. 47, under date of 7 March 1980, in order to implement and comply with P. L. 95-366. They seem quite comprehensive in scope. It is recommended that the CIA Retirement and Disability System generally adopt the administrative procedures set forth in said Rules and Regulations for the purpose of implementing the apportionment provisions of Executive Order 12197. Additionally, the Office of General Counsel advises that the Agency may only apportion annuities pursuant to final court action in any divorce matter.] out

STATINTL

Att

CONCURRENCE:

General Counsel
Date

The recommendation contained in paragraph 3 is approved:

APPROVED:

D/PersPP&M
Date